

Message Text

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ACTION IO-14

INFO OCT-01 ARA-16 ISO-00 EB-11 OIC-04 AF-10 EA-11 EUR-25

NEA-14 RSC-01 FRB-03 OMB-01 TAR-02 SP-03 SWF-02

AGR-20 AID-20 CIAE-00 COME-00 INR-11 LAB-06 NSAE-00

SIL-01 STR-08 TRSE-00 CIEP-03 CEA-02 DRC-01 L-03

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E.O. 11652: N/A

TAGS: PFOR, UNCTAD, CI

SUBJECT: UNCTAD TDB XIV: DRAFT RESOLUTION ON CLODOMIRO ALMEYDA

REF: STATE 196844

1. ALMEYDA ISSUE UNEXPECTEDLY RAISED IN PLENARY SESSION MORNING SEPT 11. OFFICIAL OF UNCTAD LEGAL DIVISION, REPLYING TO REQUEST FROM CHILEAN DELEGATION AT TIME DRAFT RESOLUTION INTRODUCED IN PLENARY, SAID THAT: (1) ITEM DRAFT RESOLUTION COULD BE CONSIDERED UNDER AGENDA ITEM 13, OTHER BUSINESS, (2) QUESTION OF COMPETENCE OF BOARD COULD ONLY BE DECIDED BY BOARD THROUGH VOTE ON FORMAL MOTION, AND (3) ALMEYDA WAS PERSONALLY STILL PRESIDENT OF UNCTAD (CHILEAN HAD REBUTTED MEXICAN DEL CONTENTION TO THIS AFFECT, ARGUING THAT PRESIDENCY RESIDED IN COUNTRY, NOT PERSON OF PRESIDENT OF IMMEDIATELY PRECEDING CONFERENCE).

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2. DURING ENSUING DEBATE THESE ISSUES, PRESIDENT OF

BOARD INDICATED HIS INTENTION TO HAVE BOARD TAKE IMMEDIATE DECISION. AUSTRALIAN DELEGATE REQUESTED THAT MATTER BE CARRIED OVER TO ANOTHER PLENARY SESSION IN ORDER TO PERMIT DELEGATIONS TIME TO CONSIDER LEGAL VIEWS GIVEN AND TO CONSULT. AFTER CONSIDERABLE PARLIAMENTARY SQUABBLE--DURING WHICH PHILIPPINE DELEGATE (BRILLANTES) ARGUED STRONGLY IN FAVOR OF DEFERRING FINAL ACTION--MEETING WAS ADJOURNED.

3. COMMENT: IT EVIDENT THAT CHILEAN DELEGATION WILL CALL FOR VOTE ON COMPETENCE OF BOARD TO ACT ON PROPOSAL. PHILIPPINE DELEGATE'S REMARKS REVEALED SOME CONCERN FOR PRECEDENT CREATED BY ANY ACTION BY BOARD ON DRAFT. GERMAN DELEGATION HAS SAID THAT, WHILE HE WILL VOTE IN FAVOR ON SUBSTANCE, QUESTION OF BOARD COMPETENCE "IS QUITE DIFFERENT MATTER."

4. URGE THAT DEPARTMENT RECONSIDER ITS VIEW THAT CONSIDERATION OF THIS ISSUE BY TDB IS "JUSTIFIED," PARTICULARLY SINCE REQUEST FOR HIS IMMEDIATE RELEASE IS CLEAR INTERFERENCE IN INTERNAL CHILEAN JUDICIAL PROCESSES. REQUEST INSTRUCTIONS TO VOTE NO ON COMPETENCE AND ABSTAIN ON RESOLUTION. ISSUE SHOULD COME TO VOTE AT NEXT SESSION OF PLENARY, MORNING SEPTEMBER 12. DALE

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